

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHOKOFEH TABARAIE, DDS, PLLC,

Plaintiff,

v.

ASPEN AMERICAN INSURANCE
COMPANY,

Defendant.

Civil Action No. 2:20-cv-01035-BJR

**STIPULATED MOTION AND
ORDER**

1 Plaintiff Shokofeh Tabaraie, DDS, PLLC and Defendant Aspen American Insurance
2 Company stipulate that Defendant shall respond to Plaintiff's amended complaint, Dkt. 23, no later
3 than October 26, 2020.

4 WHEREAS:

5 1. On August 31, 2020, Defendant moved to dismiss Plaintiff's lawsuit for failure to
6 state a claim upon which relief can be granted. Dkt. 14.

7 2. On September 16, 2020, this lawsuit was re-assigned to Judge Barbara J. Rothstein
8 as part of a broader re-assignment of all matters in the District involving COVID-19 business
9 insurance issues.

10 3. Plaintiff filed an amended complaint on September 21, 2020. Dkt. 23.

11 4. Under the Federal Rules of Civil Procedure, Defendant had fourteen days to respond
12 to Plaintiff's amended complaint, for a deadline of October 5, 2020.

13 5. On September 29, 2020, the Court issued a First Scheduling Order. Dkt. 24. Under
14 this Order, counsel for the parties are required to meet and confer to discuss six questions posed by
15 the Court regarding the case management protocol that the Court "anticipates establishing . . . to
16 facilitate the orderly resolution of these cases."

17 6. On October 2, 2020, counsel for the parties conferred via telephone. In light of the
18 Court's First Scheduling Order, the parties agreed to extend Defendant's deadline to respond to
19 Plaintiff's amended complaint by ten days. The new agreed deadline was October 15, 2020.

20 7. On October 13, 2020, counsel for the parties conferred via email and agreed, in light
21 of ongoing discussions among the parties to this and other actions pursuant to the Court's First
22 Scheduling Order, to a further 11-day extension of Defendant's deadline to respond to Plaintiff's
23 amended complaint. The new agreed-upon deadline is October 26, 2020.

24 8. The parties submit this stipulated motion to memorialize their understanding. The
25 stipulated motion is made in the interest of justice, not to delay the proceedings, and will not
26 prejudice any party. The parties do not waive any claims or defenses by means of this stipulation.

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1 IT IS HEREBY STIPULATED AND AGREED, pending the Court's approval, that
2 Defendant's deadline to respond to Plaintiff's amended complaint shall be October 26, 2020.

3 The parties respectfully request the Court to enter the accompanying Proposed Order
4 granting the relief to which they have stipulated.

5
6 DATED this 13th day of October, 2020.

7
8 RUIZ & SMART
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9 /s/ Isaac Ruiz*

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16 **Signed with permission.*

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Attorneys for Defendant

ORDER

The Court has considered Plaintiff Shokofeh Tabaraie DDS PLLC's and Defendant Aspen American Insurance Company's Stipulated Motion and [Proposed] Order. The Court **HEREBY ORDERS** that Defendant's deadline respond to Plaintiff's amended complaint shall be October 26, 2020.

IT IS SO ORDERED.

Dated: October 13, 2020.



Honorable Barbara J. Rothstein
UNITED STATES DISTRICT JUDGE